

**IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION  
1:4CR59**

<b>UNITED STATES OF AMERICA,</b>	)	
	)	
<b>Vs.</b>	)	<b>ORDER</b>
	)	
<b>KENNETH WAYNE TOLBERT.</b>	)	
	)	

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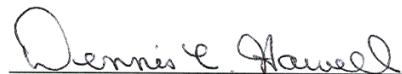
**THIS MATTER** is before the court upon the court's Motion to Recuse.

Having considered the court's Motion to Recuse and reviewed the pleadings, the court enters the following Order.

**ORDER**

**IT IS, THEREFORE, ORDERED** that the court's Motion to Recuse is **GRANTED**, and the undersigned respectfully recuses himself in this matter as he had done previously.

Signed: April 19, 2010

  
Dennis L. Howell

Dennis L. Howell  
United States Magistrate Judge

